

IN THE SPECIFICATION

Please replace the first full paragraph on page 16 with the following:

Figs. 7A, 7B and 7C illustrate cross-sections at various process steps to form control gates and their contacts. The conformal polysilicon layer 242/243 is deposited over the word gates 240, as shown in Fig.7A. In the process of the present invention, the control gate contact area 243 is placed over the shallow trench isolation (STI) region 202, where it is covered with recessed photoresist mask or hard mask 290. The mask is applied to expose the control gate polysilicon except in the control pad area. Then the vertical etch of the sidewall polysilicon is performed to get the sidewall control gates 242. Polysilicon overlying ~~the bit-diffusions junctions~~ 203 is etched out. However, the polysilicon 243 over the STI region is covered with the recessed mask 290 and the filled poly silicon for the control gate contact pad remains as shown in Fig.7B, whose top view is provided in Fig.7D.